

## **KENTUCKY DEPARTMENT OF EDUCATION**

### **STAFF NOTE**

#### **Action/Discussion Item:**

Changes Affecting *No Child Left Behind* (NCLB) Reporting for 2005-06 Testing

#### **Applicable Statute or Regulation**

KRS 158.6453, 703 KAR 5:020

#### **Action Question:**

Should the Kentucky Board of Education approve staff's recommendations to implement four changes that will impact NCLB reporting in August 2006?

#### **History/Background:**

***Existing Policy.*** As Kentucky continues to strive for full compliance and implementation of the requirements of the *No Child Left Behind Act*, the state seeks advice from technical experts with the United States Department of Education, national associations and the National Technical Advisory Panel on Assessment and Accountability (NTAPAA) on how to modify the existing assessment program and report data accurately and appropriately. The interactions with these expert groups have assisted staff in developing proposed changes in four areas that will have an impact on the reporting of NCLB results in August 2006.

These changes were sent to the United States Department of Education (USDOE) in a letter from Commissioner Wilhoit dated March 23 asking that they approve them for incorporation into Kentucky's State Application Accountability Workbook. The letter did make clear, however, that in order for the changes to be implemented, these had to be approved by the Board at its April meeting as well as by USDOE. USDOE requires a letter requesting any changes to a state's workbook be submitted by April 1 if the changes are to be considered for impacting the state's test results that are reported for NCLB purposes in August.

The four proposed changes are:

- Calculating a proxy for special education students;
- Invoking the Wellstone Amendment;
- Modifying reporting to reflect all tested students; and
- Revising the standard setting plan for the Augmented NRT.

#### **Calculating a Proxy**

USDOE as part of the implementation of *No Child Left Behind* has recognized a national need for states to have policies, modifications and accommodations to their assessments or new

assessments that better measure the performance of students with disabilities (SWD). The special education population of particular concern comprises approximately 2% of all students assessed. Knowing that states will need time to examine, plan and develop their programs in this area, USDOE has defined a proxy for schools that do not make Adequate Yearly Progress (AYP) solely on the basis of the students with disabilities subgroup and the proficiency rate of those students in each school.

The procedure for calculating a proxy allows states to determine the percentage of special education students (as defined in the Individuals with Disabilities Education Act) that is equivalent to 2.0 percent of all students assessed; then this percentage is added to the actual percentage of students with disabilities who are proficient and distinguished in the schools that did not make AYP based only on the SWD subgroup. This adjusted percent proficient (actual percent plus percentage equivalent to 2 percent) will then be used to reexamine if the school made AYP for the 2005-06 school year. The process to calculate and apply the proxy is done for reading and mathematics separately and also repeated at the district level, as needed. The actual percent proficient will be reported to parents and the public and Kentucky may also report the adjusted percent proficient.

In the interim, Kentucky has formed a work group made up of Department staff and stakeholders to examine possible approaches for assessing special education students. The Department will need to define guidelines for identifying students who may be eligible for a modified assessment, the appropriate alternate standards for this population, and the accommodations or modifications to the state assessment that will best meet the needs of these students.

#### Invoking the Wellstone Amendment

To meet the NCLB requirements of annual testing in reading and mathematics at grades 3-8, in the spring of 2006 Kentucky will use an Augmented Norm Referenced Test (A/NRT) in the grades where the Kentucky Core Content Test does not already assess these content areas. This approach was previously approved by both the Kentucky Board of Education (KBE) and USDOE. The Augmented Norm Referenced Test is considered a one-year solution to this NCLB requirement and KBE has approved a test design to begin in 2007 that annually assesses reading and mathematics in grades 3-8 with a Kentucky Core Content Test.

NCLB legislation requires that annual testing of reading and mathematics occur in 2006 and that results be reported; however, the “Wellstone Amendment”, Section 1111(b)(2)(J)(ii), indicates that if a state has an accountability plan that includes averaging data for the previous one or two years immediately preceding a current school year to make AYP determinations and there is no data available for that period of time, the state may use the existing grade levels for accountability purposes until such data are available.

Because Kentucky has always been committed to providing schools with the most stable data possible, we request to invoke the available flexibility offered by the Wellstone Amendment for Adequate Yearly Progress (AYP) determinations in 2005-06. Since Kentucky is using the new Augmented NRT assessments at the added grade levels this spring for the first time, there will only be one year of data available in those grade levels. Thus, even though Kentucky will report the results for the added grade levels to schools and districts, for 2005-06 Kentucky proposes to use the current Kentucky Core Content Test data at existing grade levels, as we have done in the previous two years, to determine AYP status.

### Modifying Reporting

A recent Title I monitoring visit to Kentucky highlighted a compliance issue related to how data is displayed on state performance reports. In order to provide as much information as possible to parents and the public, in the future Kentucky plans to report information on student achievement of all tested students at each performance level on the state academic assessments (disaggregated by race, ethnicity, gender, disability status, migrant status, English proficiency, and status as economically disadvantaged). All tested students includes the students that have been in a school or district for a full academic year (any 100 instructional days) plus students that have not completed a full academic year but participated in testing at the school or district. In Kentucky, accountability for schools and districts is based on students that have been enrolled for a full academic year. Information on all students tested has previously been available to schools and districts in electronic format with the Student Data Tool. NCLB Reports and the Kentucky Performance Report that are publicly released display disaggregated information for students for which the school or district is accountable. Staff asks for approval to modify reporting to display data for all tested students.

### Revising the Standard Setting Plan

To meet the requirements of NCLB regarding standards and assessment and to appropriately establish performance level cut scores that will place students in the category of Novice, Apprentice, Proficient or Distinguished, Kentucky wishes to revise its standard setting process for the Augment NRT that was previously described and approved in Kentucky's State Application Accountability Workbook. The revised standard setting process consists of two phases:

- In Phase One, performance level descriptions for the four performance levels - *Novice*, *Apprentice*, *Proficient*, and *Distinguished (NAPD)* - are drafted, and the cut scores for new grade levels are interpolated from existing cut scores. The Kentucky Department of Education and its contractor will work in collaboration to develop preliminary *NAPD* performance level descriptions, use field-test data to interpolate and extrapolate cut scores in the new grade levels, and select an interpolation/extrapolation procedure.
- In Phase Two, committees of Kentucky educators will convene to study the cut scores in each grade level using a modification of the Bookmark Standard Setting Procedure. Committees of Kentucky educators will work to validate the preliminary cut scores on the operational test scale. These educators will recommend changes to the cut scores, if needed, and will write final *NAPD* performance level descriptions.

Recommended standard setting steps are as follows:

#### Phase One

Step 1: Develop preliminary performance level descriptions.

Step 2: Choose and approve an interpolation procedure.

## Phase Two

Step 3: Place interpolated cut scores onto the operational test scale.

Step 4: Kentucky educators review the cut scores using the Bookmark Procedure.

Step 5: Smooth cut scores, as needed.

Step 6: Update performance level descriptions.

Step 7: Finalize and accept cut scores and performance level descriptions.

### **Staff Recommendation and Rationale:**

Staff recommends that the Kentucky Board of Education approve the implementation of the four changes described above that will impact NCLB reporting in August 2006. The implementation of these changes will assure that reporting is based on stable data and reflects accurately the performance of Kentucky's schools.

### **Impact on Getting to Proficiency:**

In order to reach proficiency, schools must make data-driven decisions using stable results, manage changes in curriculum and instruction, and implement consequences as a result of testing performance. The proposed changes will improve the stability of reporting and data provide to schools for use in their planning processes.

### **Groups Consulted and Brief Summary of Responses:**

Recognizing the importance of the issues discussed and level of stakeholder interest in the outcomes, staff has in the past and continues to obtain information from the National Technical Panel on Assessment and Accountability (NTAPAA) and the School Curriculum, Assessment and Accountability Council (SCAAC). Input from the groups will be reported at the April meeting.

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**Deputy Commissioner**

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**Commissioner of Education**

**Date:**

April 2006